



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

March 2, 1989

#13

Mr. Ronald Wilson  
Health Assessment Policy Staff  
Office of Health Affairs  
Food and Drug Administration  
5600 Fishers Lane  
Rockville, MD 20857

Dear Mr. Wilson:

The attached application for patent term extension of U.S. Patent No. 4,406,906, issued September 27, 1983, was filed on February 24, 1989 under Title II of Public Law 98-417.

The assistance of your Office is requested in confirming that the product identified in the application has been subject to a regulatory review period within the meaning of 35 USC 156(g) before its commercial marketing or use. Since a determination has not been made whether the patent in question claims a product which is subject to the Federal Food, Drug and Cosmetic Act, this communication is NOT to be considered as notice which may be made in the future pursuant to 35 USC 156(d)(2)(A).

Our review of the application to date indicates that the subject patent would be eligible for extension of the patent term under 35 USC 156.

C.E. Van Horn

Charles E. Van Horn  
Deputy Solicitor  
Patent and Trademark Office

Louis E. Davidson  
Miles Inc.  
P.O. Box 40  
Elkhart, IN 46515